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TAGS: PGOV PHUM PINR RS
SUBJECT: PUTIN'S HUMAN RIGHTS ADVISER ON "FROZEN"
DECISIONMAKING

Classified By: Ambassador William J. Burns: Reasons 1.4 (b, d).

¶1. (C) Summary: In her February 11 meeting with the Ambassador, Putin's human rights adviser, Ella Pamfilova said the Duma elections had been a "turning point," leading her to "divorce" herself from GOR actions and adopt a low public profile. While she welcomed FM Lavrov's engagement with the NGO community, she said decisionmaking was "frozen" during the presidential transition and no actions were contemplated to amend the NGO registration law. While the law had not been used to persecute NGOs, it remained open to abuse, and Pamfilova's efforts to petition Putin had been foiled by the Ministry of Justice. Pamfilova said objective factors, such as an increasing and increasingly self-confident middle class, left her optimistic over the longer-term, and was wry -- but positively inclined -- about the "aura of liberalism" emanating from Medvedev. The situation in Dagestan was "awful," but on a positive trajectory; whereas Ingushetiya President Zyazikov simply was not up to the task of administering his republic. Pamfilova did not see a trend emerging in psychiatric detentions, and outlined her intervention on behalf of Yukos VP Aleksanyan. She was ambivalent about her future in government, but urged the U.S. to deepen its engagement with Russia on areas of overlapping interest. Although demoralized, Pamfilova has pushed her Council to its limit as an establishment critic. End Summary

NGO Law

¶2. (C) During their February 11 meeting, the Ambassador asked the Chair of the Presidential Council on Promoting the Development of Institutions of Civil Society and Human Rights Ella Pamfilova about FM Lavrov's November 5 meeting with Russian NGO representatives and the status of civil society efforts to modify the NGO registration law. Pamfilova welcomed the Foreign Ministry's outreach, noting that the fact of the third annual meeting represented some small progress, particularly since the MFA invited all of the human rights community's heavy weights. While attendance was mixed (with Moscow Helsinki Group Alekseeva ill, For Human Rights Ponamarev boycotting, and Human Rights Institute Gefter unavailable), there was now a "circle" of NGOs that engaged with the Ministry, and Lavrov had appointed a "liberal type" to head the department that oversaw outreach.

¶3. (C) In response to the Ambassador's query on prospects for modification of the NGO registration law, Pamfilova was pessimistic, arguing that not only was there no progress, but that authorities were not focused on the issue, with everything "frozen" during the extended period of political succession. Despite a worsening situation, she commented, there was no GOR reaction. Her Council's strategy had been to monitor the situation and to assess the law's implementation. On the one hand, "everyone -- Memorial's Djibladze included," recognized that their worst fears over

the legislation had not materialized: the law was not being used as a blunt instrument to repress politically sensitive NGOs. On the other hand, only 36 percent of Russian NGOs had registered, with the vast majority simply ignoring the GOR requirements. A vulnerability existed, and while there had not been persecution of organizations, there were localized instances of NGOs facing pressure, and the potential for abuse remained. Pamfilova stressed that the GOR did not need the registration law to target NGOs and didn't, for instance, need it to close down the Russian Chechen friendship society.

¶4. (C) Pamfilova told the Ambassador that on several occasions she had raised her concerns directly with Putin, but that divisions within the bureaucracy had stymied any response. While the Ministry of Economic Development and Trade was a liberal ally in supporting the work of NGOs, the Ministry of Justice remained a bastion of conservatism. The end result was the equivalent of "split memos" being sent to Putin, which were bounced by the Presidential Administration for further coordination. Until there is a new administration, Pamfilova said, the logjam will remain, emphasizing again that "everything is frozen." Despite the clear absence of impending orange revolutions in Russia, she noted, the same bureaucratic tension remained between those who wanted to facilitate the work of NGOs and those who saw them as a fifth column.

Will Medvedev be any Better?

¶5. (C) Pamfilova was frank about her discomfort over the Kremlin's manipulation of the Duma elections, stating that she had "divorced" herself from GOR actions over the last several months. Decrying the "gross violations" that had occurred, she concluded that this had been the least

effective period of her tenure in office. She said it was difficult to predict whether Medvedev would usher in change. There were positive "beacons," she acknowledged, while noting wryly that the "aura of liberalism" surrounding Medvedev had helped contribute to a change of mood. The President sets the tone, she stressed, and just as Putin had played to fears of Western manipulation, Medvedev would have the chance to put Russia on a different course and to blame the previous harshness on Putin himself. There was a logic to this evolution, she stressed, noting the pent-up demand among businessmen, in particular, for a more moderate line.

¶6. (C) While Pamfilova predicted that a more measured policy course was the likely outcome of a Medvedev presidency, she hedged her bets, noting that international events -- an economic downturn, or backlash generated by Kosovo's independence -- could complicate this scenario. Objectively, she noted, the Russian trajectory was positive: the middle class was growing and becoming more secure, self-confident, and active. With this increased self-confidence would come greater community mobilization. They won't need guarantees from the West, she added, but will be driven by the objective facts of modernization in a globalized world. Moscow was not Beijing, Pamfilova stressed, and the Chinese model of societal control did not exist in Russia. A new generation had grown up ignorant of Soviet norms and accustomed to greater personal freedom, and their role model was Europe. Pamfilova said she was more concerned that hawks in both the U.S. and Russia were angling for a confrontation; certainly flames were being fanned by conservative elements in both systems.

Caucasus: Differentiating Ingushetiya from Dagestan

¶7. (C) Pamfilova agreed with the concerns expressed by the Ambassador over developments in the North Caucasus, but distinguished between the situations in Dagestan and Ingushetiya. While the status of Dagestan remained "awful," Pamfilova argued that overall the local leadership was competent. It was dealing with a Soviet legacy of enshrined corruption, where resources had been dedicated to a single

clan, with the remaining ones disenfranchised. While it was a difficult multi-ethnic situation, the leadership was engaged and former Presidential Representative Kozak had done a good job in bolstering local efforts. The longer-term trendline, she insisted, was positive.

¶8. (C) In contrast, Pamfilova despaired over Ingushetiya, where "nice guy" President Zyazikov simply was not up to the task of administering the Republic. Pamfilova noted her Council's good relations with republic officials, frequent exchanges of views on human rights issues, and estimation that Zyazikov cared about international opinion and shared Western values (in contrast to the "uncivilized" Chechen President Kadyrov). While Ingushetiya was poor, and the gap between rich and poor too large, Pamfilova judged it was the clan political battles that most threatened its stability. There was a level of "unpredictability," with Zyazikov's assurances to Putin pure "demagoguery."

¶9. (C) Pamfilova agreed with the Ambassador's criticism of the political process that produced 98-plus percent turnout for the ruling party in the North Caucasus in the December 2007 parliamentary elections, and predicted exactly the same outcome during the presidential race. While manipulation was not required in a system that was driven by clan loyalties, the excessive measures of Zyazikov and the subsequent "I did not vote" internet petition could have political consequences further down the road. In contrast, Putin's recent visit to the Dagestan village of Botlikh (where the second Chechen war was launched) was a tremendous boost to the leadership that would bring political dividends for Medvedev in March. Pamfilova warned that the "Caucasus is the Caucasus" and the "more I learn, the less I know." The nuances are so profound and the point of view and logic so specific to the region, she argued, it was very difficult to make judgments from Moscow.

Psychiatric Abuse

¶10. (C) The Ambassador expressed strong concern over the recent incidents of political opposition activists being involuntarily committed to psychiatric institutions, noting the cases of Larissa Arap, Aretem Basyrov, and Roman Nikolaychik. Pamfilova characterized the abuses as election-motivated, but said she did not think a "trend" to abuse psychiatric care was emerging. She noted the successful efforts by HR Ombudsman Lukin and herself to free Arap, who (she asserted) suffered from real psychiatric

issues, but who had been wrongly committed. Pamfilova predicted that the abuses would end with the presidential elections, and again despaired at the excesses committed by hard-liners on the basis of an "orange revolution" threat that did not exist.

Yukos VP Aleksanyan

¶11. (C) Noting media reports that former Yukos VP Aleksanyan had finally been transferred to a civilian treatment facility for HIV/AIDS, the Ambassador asked Pamfilova how her Council had been involved in urging the GOR to provide appropriate medical treatment. Describing the case as "monstrous," Pamfilova said she had complained "loudly," sending three letters to the courts, which had left the prosecutors and General Procuracy "very offended." The GOR lawyers had briefed the Council, with Pamfilova again expressing her concern over the conduct of the case. The Ambassador praised her direct participation, noting the Council's potential to sway GOR policy.

Council and Pamfilova's Future

¶12. (C) Pamfilova agreed with the Ambassador's assessment that the change in president would have implications for the community of human rights defenders. She noted candidly that

she had wanted to quit her post months earlier, because she had become ineffective, but had listened to the arguments of prominent human rights activists such as Moscow Helsinki Watch Director Alekseeva and had remained. The Duma elections, Pamfilova reiterated, had been a turning point. Pamfilova said she was not looking for an "artificial" position, but wanted to effect change -- if that meant shifting to the private sector or NGO world, she was prepared to leave government office, but would make her decision in the March-May transition period.

¶13. (C) Medvedev's appointees and their staff would set the tone for Russia's commitment to human rights and civil society, Pamfilova noted, and would be the bellwether of whether the Council could prove more effective in the next administration. Noting that she would be happy to spend more time with her granddaughter and had several lucrative job offers, Pamfilova stressed that she was not driven to remain in the orbit of the presidential administration. "In the end, I have to respect myself." Witnessing the obvious mistakes and the unfounded actions of the Putin administration had been very difficult, as was watching bureaucrats employ Putin's name for their own financial or bureaucratic interests. Having fought with the siloviki, Pamfilova said that she could not paint a rosy picture of Russian civil society, but retained a certain optimism that over the next 20 years Russian views of institutions and rule of law would be reshaped. Public opinion continued to matter in Russia, she noted, and as the public evolved, so too would its government.

U.S. Relations and H.R. Report

¶14. (C) The Ambassador briefed Pamfilova on Embassy efforts to ensure that the upcoming human rights report was accurate and provided a foundation for an on-going dialogue. Pamfilova concluded the session underscoring that more issues united the U.S. and Russia, and urged continued efforts to deepen the bilateral relationship in these critical strategic areas. The Ambassador urged Pamfilova and her Council members to continue to play a watchguard role and to help provide an environment in which Russian civil society could strengthen.

Comment

¶15. (C) A clearly demoralized Pamfilova put the best face on her limited influence, which has dwindled even further during the extended period of political succession. While Pamfilova has been noticeably missing in action over the last several months, her behind-the-scenes but establishment criticism of GOR excesses in the cases of psychiatric abuse and the denial of treatment to Yukos VP Aleksanyan may have played a useful role in reversing some policy wrongs. Her support from influential NGO leaders appears to attest to her well-meaning intentions, even as her more strident critics portray her as having sold out to the Putin administration.

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